

REMARKS

Claims 1-30 are pending in the present application. No claims have been amended. Favorable reconsideration is respectfully requested in view of the following comments.

I. REJECTION OF CLAIMS 1-5, 7-15, AND 17-30 UNDER 35 U.S.C. §102

Claims 1-5, 7-15 and 17-30 stand rejected under 35 U.S.C. §102(c) as being anticipated by Jalali *et al.*, U.S. Patent Publication No. 2006/0023666. This rejection should be withdrawn for at least the following reasons. Jalali *et al.* does not disclose each and every feature of applicants' invention recited in the subject claims.

Independent claim 1 recites a method of deriving a matched filter based on a steered reference, comprising: "obtaining a plurality of sets of received symbols for the steered reference .. and deriving the matched filter based on the plurality of sets of received symbols, wherein the matched filter includes a plurality of eigenvectors corresponding to the plurality of steering vectors." Contrary to assertions in the Office Action, Jalali *et al.* does not disclose deriving a matched filter based on a plurality of steering vectors. Independent claims 10, 20, 21, and 27 similar to claim 1 recite features relating to generating eigenvectors or match filter(s) based on steering vectors or steering reference(s).

Jalali *et al.* relates to generating pilots in a MIMO system, but it does not teach the aforementioned features of applicants' claimed invention. The sections of Jalali *et al.* cited in the Office Action at best merely relate to spatial filtering; however, there is mention of employing steering vectors in connection deriving eigenvectors or a matched filter. Accordingly, the cited art does not anticipate applicants' claimed invention as recited in the subject claims. This rejection should be withdrawn.

Furthermore, it should be noted that the subject matter of Jalali *et al.* and the present patent application were commonly owned, at the time of invention, by assignee Qualcomm Corporation; and therefore pursuant to 35 U.S.C. §103(c) Jalali *et al.* is not citable art against the subject application under 35 U.S.C. §103(a).

II. REJECTION UNDER 35 U.S.C. §103

Claims 6 and 15 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Jalali *et al.*, in view of Krishnan *et al.*, U.S. Patent No. 7,039,001. This rejection should be withdrawn

for at least the following reasons. Claims 6 and 15 depend from independent claim 1, and Krishnan *et al.* does not make up for the deficiencies of *et al.* with respect to claim 1. Moreover, both Jalali *et al.* and Krishnan *et al.* respectively are not citable art under 35 U.S.C. §103(a) against the subject application pursuant to 35 U.S.C. §103(c) since the subject matter of both these prior art references and the present application, at the time of invention, were commonly owned by assignee Qualcomm Corporation. Withdrawal of this rejection is respectfully requested.

CONCLUSION

In light of foregoing comments, applicants' representative submits that the application is in condition for allowance, and an early action to such end is respectfully requested.

Please charge any fees or overpayments that may be due with this response to Deposit Account No. 17-0026.

Respectfully submitted,

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